



1723  
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PATENT  
Customer No. 22,852  
Attorney Docket No. 2508.0092

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of: )  
)  
Thierry CROST et al. ) Group Art Unit: 1723  
)  
Application No.: 09/937,558 ) Examiner: Kim, Sun U.  
)  
Filed: January 3, 2002 )  
)  
For: NON-THROMBOGENIC )  
SEMIPERMEABLE MEMBRANE )  
AND METHOD FOR MAKING )  
SAME )

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**SECOND SUPPLEMENTAL INFORMATION**  
**DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(c)**

This Second Supplemental Information Disclosure Statement (IDS) is being filed in addition to the Supplemental IDS filed on July 12, 2002, and the IDS filed on September 27, 2001.

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(c), Applicants bring to the attention of the Examiner the documents on the attached listing. This Second Supplemental Information Disclosure Statement is being filed after the events recited in Section 1.97(b) but, to the undersigned's knowledge, before the mailing date of either a Final action, Quayle action, or a Notice of Allowance. Under the provisions of 37 C.F.R. § 1.97(c), this Second Supplemental Information Disclosure Statement is accompanied by a fee of \$180.00 as specified by Section 1.17(p).

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Based on reasonable inquiry, no document listed in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and no document listed in this Information Disclosure Statement was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing date of this Second Supplemental Information Disclosure Statement.

Copies of the listed foreign and non-patent literature documents are attached. Copies of the U.S. patent publications are not enclosed.

Applicants respectfully request that the Examiner consider the listed documents and indicate that they were considered by making appropriate notations on the attached form.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute "prior art." If the Examiner applies any of the documents as prior art against any claims in the application and Applicants determine that the cited documents do not constitute "prior art" under United States law, Applicants reserve the right to present to the office the relevant facts and law regarding the appropriate status of such documents.

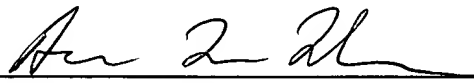
Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

If there is any fee due in connection with the filing of this Statement, please charge the fee to our Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,  
GARRETT & DUNNER, L.L.P.

Dated: October 28, 2004

By:   
Aaron L. Parker  
Reg. No. 50,785

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## Complete if Known

INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT

(Use as many sheets as necessary)

Sheet

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of

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Application Number 09/937,558

Filing Date January 3, 2002

First Named Inventor Thierry CROST et al.

Art Unit 1723

Examiner Name Kim, Sun U.

Attorney Docket Number 02508.0092

## U.S. PATENTS AND PUBLISHED U.S. PATENT APPLICATIONS

Examiner Initials	Cite No. <sup>1</sup>	Document Number	Issue or Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code <sup>2</sup> (if known)			
		US-5,455,040	10/03/1995	Marchant	
		US-			
		US-			
		US-			
		US-			
		US-			

Note: Copies of the U.S. Patent Documents are not Required in IDS filed after October 21, 2004

## FOREIGN PATENT DOCUMENTS

Examiner Initials	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	Translation <sup>6</sup>
		Country Code <sup>3</sup> Number <sup>4</sup> Kind Code <sup>5</sup> (if known)				

## NON PATENT LITERATURE DOCUMENTS

Examiner Initials	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	Translation <sup>6</sup>
		S. BOWRY, ET AL., "Heparin-Free Dialysis Following Pre-rinsing of Hemophan with High Doses of Heparin," 31st Edta, Vienna, July 3,-6, 1994.	
		N. GRETZ, ET AL., "Heparin Binding by Hemophan Membranes," <i>Dialysis Clinic</i> , pg. 128.	
		LI-CHIEN HSU, ET AL., "Non-Thrombogenic Surfaces in Extracorporeal Devices," <i>The International Journal of Artificial Organs</i> , Vol. 16, no. 6, 1993, p. 371.	
		L. M. ROBERTSON, ET AL., "Modification of the Blood Compatibility of Hemodialysis Membranes," <i>Artificial Organs</i> (Volume 14, Suppl. 2), ISAO Press 1990, pp. 41-43.	
		J. A. SUMMERTON, ET AL., "In Vitro Clotting Technique for Hemodialysis Circuits," <i>ASAIO Journal</i> 1999, pp. 109-112.	

Examiner  
SignatureDate  
Considered